

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
NAGPUR BENCH, NAGPUR

WRIT PETITION NO.5459 OF 2006.

(Mahalaxmi Matsya Vyavasaya Sahakari Sanstha Vs. State of Mah. & oth..)

Office Notes, Office Memoranda of
 Coram, appearances, Court's orders
 or directions and Registrar's orders.

Court's or Judge's orders

Mr. N.N. Thengre, Advocate for Petitioner.

CORAM : A.H.JOSHI AND
R.C.CHAVAN, JJ.
DATED : JUNE 21, 2007.

1. The petition has been opposed by raising contention that the allotment of fishing rights in favour of the petitioner was contrary to rules as opportunity to participate in the auction was not given to respondent No.4. Therefore, though agreement was executed, entire action was cancelled and fresh auction was proposed. The petitioner society failed to participate in the auction assigning reason that the petitioner has filed writ petition. It is seen that cancellation of allotment done to petitioner was done for the reasons which are recorded and have been incorporated in paragraph 7 of the affidavit. These averments in the affidavit in reply have not been denied. We, therefore, find that the statement made by the Government is gone uncontested.

3. The action of the Government is, thus, justified. We find no reason to interfere.

4. The petition is, therefore, dismissed.

RR. **JUDGE.**

JUDGE.